

Village of Middlefield Planning & Zoning

Minutes

March 7, 2023

The Village of Middlefield's Planning & Zoning meeting was called to order at 6:00 p.m. with the following members present: Mayor Ben Garlich, Mr. Scott Klein, Ms. Carissa Shaffer, Mr. Dave Dietrich, and Mr. Linberg is excused.

Also present: Mr. John Boksansky-Zoning Inspector, Mr. Luke McConnville- Village Solicitor, Leslie McCoy-Village Administrator, Ms. Linda Smallwood- Cardinal Board President, Mr. Sam Morrow, Mr. Jack Cunningham- Cardinal Schools Superintendent, Mr. David Rose, Mr. Tom Clark, Mr. Ken Zwolinski, and Mr. Hirsch Agarwal.

Agenda: Additions/Deletions

Minutes: The minutes of the February 7, 2023 meeting were presented for approval. **Mr. Dietrich made a motion to approve the minutes as presented, motion seconded by Ms. Shaffer. All in favor: Yeas (4).**

PUBLIC HEARING:

- 1. 16000 E. High Street Conditional Use for a Day Care Center (also NB #1 below Lot Split/ consolidations):** Mr. Boksansky stated Mr. Agarwal of All Around Children Daycare is seeking approval for a conditional use certificate for a child care center at the location of the former Cardinal Intermediate School. The conditional use is permitted under Section 1153.04 (b) (9) Nursery Schools and Day Care Schools. Mr. Hirsch Agarwal is present at the meeting to represent All Around Daycare.

NEW BUSINESS:

- 1. 16000 E High Street Lot split Consolidations regarding several parcels Owned by Cardinal Schools; conceptual review:** Mr. Boksansky stated in addition to the consolidation request, this will require a coverage variance. The applicant is requesting a 67.4% lot coverage where 40% lot coverage is required in a general commercial district per 1155.01 dimension and area regulations for the Village of Middlefield. Mr. Boksansky stated the garage may be needed for a period of time by the school district after the property sale so the disposition of the bus garage remains outstanding. The three parcels are owned by Cardinal School District but they are not in the same name as the parcel with the frontage. Mr. Cunningham stated the problem is that the bus garage encroaches on part of the Jordak parcel. Cardinal can't sell the property with the bus garage encroaching because they would own a portion of All Around Children Daycare's property. The purpose of the meeting is to legally convey and redraw boundry lines. The bus garage was expected to be demolished but All Around Children Daycare plans to turn it into a gymnasium. Mr. Boksansky stated the plan is to supply information to the surveyor to prepare the proper documents for final review. Close on the

property is delayed to work out details of the splits and consolidations. This will require a public hearing.

OLD BUSINESS:

1. **15500 W High Street Dairy Queen storm water easement review:** Mr. Boksansky stated Dairy Queen owner AHROV, LLC, Grantee, is seeking authorization of a storm water easement through GCMB, LLC, Grantor property for the purpose of providing ease storm water travel from the new detention pond into the Village of Middlefield storm water system. The Village of Middlefield engineer has been involved in discussion regarding the storm water easement. Mr. Boksansky stated this has been signed off by both private property owners. Mr. McConnville stated there is no need for any motions. This is for information purposes.
2. **Discussion Ordinance for EV charging stations Update and Review Draft Ordinance:** Mr. McConnville has provided a draft ordinance for the EV charging stations. **Mr. Klein made a motion to take the draft ordinance to Council, motion seconded by Ms. Shaffer. All in favor: Yeas (5).**
3. **Solar Farms Regulation:** Mr. McConnville stated the only reference he has heard to solar farms being environmentally unfriendly is the low humming noise which can be irritant if located close to residential homes. The other reference is that solar panels themselves are not currently recyclable. Mr. McConnville stated these have a 20-30 year life and would need a disposal plan. The typical installation for solar panels are close to the ground so it could affect farming. There could be some adjustments to place the solar farms 10-12 feet above the ground so that crops could still be planted beneath the solar panels. Mayor Garlich recommends putting the solar farms in an industrial area. Mr. McConnville stated the solar panels can also create a glare but there are screens that can be installed to prevent the glare. Mr. McConnville stated angle of the solar panels are important.
4. **Short Term Rental Regulation:** Mr. Klein stated he would like to see the rental owners report when the properties will be rented out. Mr. McConnville stated he has drafted a short paragraph for a legislation stating a short term rental host shall provide notice to the Middlefield Police Department no less than 24 hours prior to rental being rented. This shall include the number of occupants and identities of the occupants staying in the short term rental. Mr. McConnville stated this would create an obligation to the host to let the police know who is going to be there

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and if they violate these rules there is a step basis for discipline. The short term rental permit would get pulled and the property owner would not be able to apply for another permit for 6 months. Mr. McConville stated if it is violated twice the period would be extended to 1 year. If violated for a third time the property owner would no longer be eligible for a short term rental permit. Mr. Klein stated the Village does not necessarily need to know the identities but Mayor Garlich stated the village requires to know the tenant identities for a rental property. Discussion held regarding a sign notice on the short term rental property letting neighboring residents know the property owner holds a short term rental permit. Ms. McCoy stated a fee would need to be attached to this. Mr. McConville will make the necessary changes and it will be reviewed at the next Planning and Zoning Meeting in April.

- 5. Nomination of Carissa M. Shaffer to the Housing Council as the Planning Commission Appointment:** Mr. Klein made a motion to nominate Carissa M. Shaffer to the Housing Council as the Planning Commission Appointment, motion seconded by Mayor Garlich. All in favor: Yeas (5).

PUBLIC DISCUSSION:

ZONING INSPECTORS REPORT – Mr. Boksansky stated the Village was able to issue 8 out of 10 zoning permits that were applied for.

PENDING

- 1. Lot Consolidation of parcels at 15711 W. High Street PP #'s: 19-045700, 19-046000 (existing building), 19-045900; vacant land. Awaiting Consolidation Plat. (Yoder Furniture)**
- 2. 14910 Madison Road Gold Key Hexpol lot consolidations to accommodate parking expansion.**

Mr. Klein made a motion to adjourn the Planning & Zoning Commission at 6:50 pm, motion seconded by Mayor Garlich. All in favor: Yeas (5).

Next meeting is on Tuesday, April 11, 2023 at 6 PM.

There being no further business before the Planning & Zoning Commission the meeting adjourned at 7:00 pm.

Leslie McCoy – Village Administrator

Scott Klein-Chairman